

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GREGORY S. KONTAXES,)
Plaintiff,)
vs.) Civil Action No. 12-1285
Judge Mark R. Hornak
JUDGE JOHN F. WAGNER, JR.; JUDGE) Magistrate Judge Maureen P. Kelly
NANCY VERNON; ATTORNEY JACK)
CONNORS; ATTORNEY DIANE)
ZEREGA; ATTORNEY MARK)
MEHALOU; STEVEN GARY)
KONTAXES, PERRYOPOLIS)
POLICEMAN,)
Defendants.)

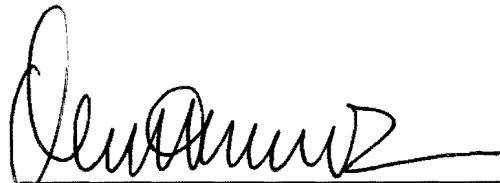
O R D E R

AND NOW, this 21st day of December, 2012., after the Plaintiff, Gregory S. Kontaxes, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until December 13, 2012, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Petition for Writ of Mandamus is dismissed pre-service pursuant to this Court's inherent power to control its own dockets and/or pursuant to the screening provisions of the Prison Litigation Reform Act ("PLRA") as legally frivolous.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as

provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.



MARK R. HORNAK
United States District Judge

cc: Honorable Maureen P. Kelly
United States Magistrate Judge

Gregory S. Kontaxes
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